

tion in 1787 two or three important facts which bear on this subject.

1st. One prominent unquestioned historic fact in regard to that Convention is that *each State*, whether large or small, whether represented by one or many delegates, cast *one vote on all questions arising* in that body.

2d. That various plans or forms of government were proposed by different members—some looking to a strong central, consolidated government, and others to a government purely Federal, and others still to mere amendations or alterations and improvements of the old Articles of *Confederation*.

3d. That of all the plans proposed that which went the furthest towards consolidation and centralization, was that of Alexander Hamilton, who advocated the adoption of a form of government which he admitted was an *elective monarchy*, and in which he plainly and boldly advocated the almost total overthrow and subversion of the *State governments*.

4th. That all such plans looking to a purely and absolutely consolidated government, were, after full debate, rejected as inadmissible and inconsistent with Republican liberty, and the present Constitution was adopted as the result of a *compromise* between conflicting views and interests, the result being a Government neither purely *National*, nor purely *Federal*, but one in which the *federal features* predominated, being in fact a government *federalive* in form, not consolidated, but yet clothed with full authority to render that government effective within its *specified sphere*, and leaving the States *supreme* in the exercise of all their reserved rights—equally *supreme* within their *specified spheres*.

Finally, let me for one moment refer, in order to show that they did not design to make a government purely national, to Elliot's Debates, vol. 4, pages 76 and 78. The resolution under consideration was the following:

“*Resolved*, That it is the opinion of this committee that a *National Government* ought to be established, consisting of a *supreme legislature, judiciary and executive*.”

When that resolution was under consideration, Mr. Ellsworth, of Connecticut, moved, seconded by Mr. Gorham, of Massachusetts, to expunge the word “*national*,” from that resolution, and to place in

the room of it, “*Government of the United States*,” which was carried, and this is the first grand case of expunging that the records afford us.

When this Constitution came before the people of the several States for their ratification, it was assailed on various grounds, and among others, that it formed a *National Government*, which regarded the Union as a *consolidation of the States*. This objection was met by its friends with a *power of reasoning* utterly *unanswerable*—the fears of the timid were overcome, and the clamor of its enemies silenced. Among those most prominent in its advocacy, as well as its formation, were Alexander Hamilton and James Madison. Now, what do they say on this subject?

First, Hamilton, in the *Federalist*, says: “An entire consolidation of the States into one complete national sovereignty, would imply an entire subordination of the parts; and whatever powers might remain in them, would be altogether dependent on the general will. But as the plan of the Convention aims only at a partial union or consolidation, the State governments would clearly retain all the rights of sovereignty which they before had, and which were not by that act exclusively delegated to the United States. But it is said that the laws of the Union are to be the supreme laws of the land. What inference can be drawn from this, or what would they amount to, if they were not to be supreme? It is evident they would amount to nothing. A *law*, by the very meaning of the term, includes *supremacy*. It is a rule which those to whom it is prescribed are bound to observe. This results from every political association. If individuals enter into a state of society the laws of that society must be the supreme regulator of their conduct. If a number of political societies enter into a large political society, the laws which the latter may enact, pursuant to the powers intrusted to it by its Constitution, must necessarily be supreme over those societies, and the individuals of whom they are composed. It would otherwise be a mere treaty, dependent on the good faith of the parties, and not a government which is only another word for *political power and supremacy*. But it will not follow from this doctrine that acts of the larger society which are *not pursuant* to its constitutional powers, but which are invasions of the residuary authorities of the smaller societies, which will become the supreme law of